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List

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Applicant: Orville G. Kolterman, et al.

Serial No.: 09/756,690

Filed: January 9, 2001

For: USE OF EXENDINS AND  
AGONISTS THEREOF FOR  
MODULATION OF TRIGLYCERIDE  
LEVELS AND TREATMENT OF  
DYSLIPIDEMIA

) Group Art Unit: 1614  
Examiner: To be assigned

SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS

BOX MISSING PARTS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

## 1. Documents Enclosed:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR 1.53(f)**, which was mailed by the Patent Office on March 13, 2001 enclosed are:

- Declaration of Inventorship signed in counter-part;
- Copy of Revocation and Grant of Power of Attorney;
- Assignment of the invention to Amylin Pharmaceuticals, Inc. (together with PTO Form 1619A);

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

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May 14, 2001  
Date of Deposit

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Laura Sullivan  
Name of Person Mailing Paper  
Signature of Person Mailing Paper

Patent  
030639.0027.UTL

- Submission of Sequence Listing;
- Statement Under 37 C.F.R. § 1.821 (F);
- Sequence Listing in paper copy and on ASCII formatted diskette;
- Transmittal of Formal Drawings and (3) Formal Drawings; and
- A copy of the Notice to File Missing Parts of Application under 37 CFR 1.53(f).

## 2. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two month	\$195.00	\$390.00
<input type="checkbox"/> three month	\$445.00	\$890.00
<input type="checkbox"/> four month	\$695.00	\$1,390.00
<input type="checkbox"/> five month	\$945.00	\$1,890.00

## 3. FILING FEES

<b>BASIC FILING FEE:</b>		\$710.00
Total Claims	176 - 20 = 156 x \$18.00	\$2,808.00
Independent Claims	4 - 3 = 1 x \$80.00	\$80.00
Multiple Dependent Claims	\$270 (if applicable)	<input checked="" type="checkbox"/> \$270.00
Surcharge 37 CFR § 1.16(e)	\$130 (if applicable)	\$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$3,998.00
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.		<input checked="" type="checkbox"/> \$1,999.00
Extension of Time (from above)		<input type="checkbox"/> \$0.00
Assignment--\$40 (if applicable)		<input checked="" type="checkbox"/> \$40.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>		\$2,039.00

4. **METHOD OF PAYMENT OF FEES:**

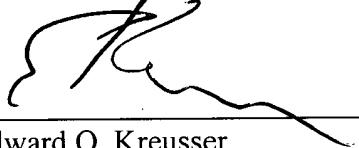
Check in the total amount of \$2,039.00 are enclosed to cover the above fee(s).  
 Charge Deposit Account No. **50-1273** in the amount of \$0.00  
 The Commissioner is authorized to charge Counsel's Deposit Account No. **50-1273** for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 5/14/01

By:

  
Edward O. Kreusser  
Reg. No. 38,523

EOK:jxb

**BROBECK, PHLEGER & HARRISON LLP**  
12390 El Camino Real  
San Diego, CA 92130-2081  
Telephone: (858) 720-2500  
Facsimile: (858) 720-2555



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

#6

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/756,690	01/09/2001	Orville Kolterman	030639.0027.UTL

## CONFIRMATION NO. 4666

23865  
 BROBECK PHLEGER & HARRISON  
 12390 EL CAMINO REAL  
 SAN DIEGO, CA 92130

## FORMALITIES LETTER



\*OC000000005855820\*

Date Mailed: 03/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$440.
  - \$360 for 20 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1280.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09756690  
 355.00  
 65.00  
 40.00  
 1404.00  
 135.00

05/23/2001 KZENDTE 00000006 09756690

01 FC:201  
 02 FC:205  
 03 FC:202  
 04 FC:203  
 05 FC:204

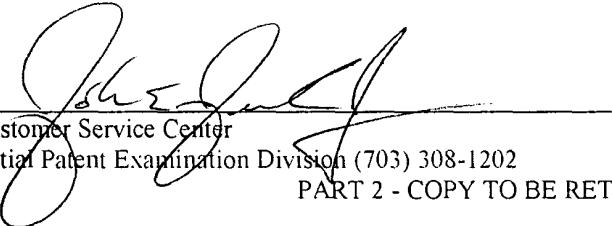
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent  
030639.0027.UTL(249/124)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

**Applicant:** Kolterman, *et al.*

**Serial No.:** 09/756,690

**Filed:** January 9, 2001

**For: USE OF EXENDINS AND AGONISTS  
THEREOF FOR MODULATION OF  
TRIGLYCERIDE LEVELS AND  
TREATMENT OF DYSLIPIDEMIA**

**Group Art Unit:** 1614

**Examiner:** to be assigned

**TRANSMITTAL OF FORMAL DRAWINGS**

Draftsperson Review Branch  
Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

Transmitted herewith for filing in the above-referenced application are the formal drawings (3 sheets), as required by the Notice to file Missing Parts dated March 13, 2001.

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

May 14, 2001  
Date of Deposit  
350643

*Laura Sullivan*  
Name of Person Mailing Paper

*Laura Sullivan*  
Signature of Person Mailing Paper

No fee is believed to be due in connection with this transmittal. However, if any fee is due,  
kindly charge the appropriate amount to Deposit Account No. 50-1273.

Respectfully submitted,

Brobeck, Phleger & Harrison LLP

Dated: 5/14/01



Edward O. Kreusser  
Reg. No. 38,523

Brobeck, Phleger & Harrison LLP  
12390 El Camino Real  
San Diego, CA 92130  
(858) 720-2500